

Terminal Disclaimer To Obviate A Provisional Double Patenting Rejection Over A Pending "Reference" Application	Application #	10/527,422
	Confirmation #	4780
	Filing Date	March 27, 2006
	First Inventor	BARTOSCH
	Art Unit	1633
	Examiner	Popa, Ileana
	Docket #	P08575US00/BAS


The owner⁺, Institut National de la Sante et de la Recherche Medicale, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term of any patent granted on pending reference Application No. 10/547,750, filed on November 27, 2006, as such term is defined in 35 USC §154 and 173, and as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on pending reference application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the reference application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC §154 and 173 of any patent granted on the reference application, as the term of any patent granted on said reference application may be shortened by any terminal disclaimer filed prior to the grant of any patent on said pending reference application, in the event that any such granted patent on the pending reference application: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included via Electronic Funds Transfer

The undersigned is an attorney of record.

Date: March 2, 2009


By: B. Aaron Schulman
Registration No.: 31,877

STITES & HARBISON PLLC ♦ 1199 North Fairfax St. ♦ Suite 900 ♦ Alexandria, VA 22314
TEL: 703-739-4900 ♦ FAX: 703-739-9577 ♦ CUSTOMER NO. 00881